

1                   BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD  
2                   CENTRAL PUGET SOUND REGION  
3                   STATE OF WASHINGTON

4 TOWARD RESPONSIBLE DEVELOPMENT, et  
5 al.,

Case No. 10-3-0014

6                               Petitioners,

**ORDER OF DISMISSAL**

7  
8                   v.

9 CITY OF BLACK DIAMOND,

10                               Respondent,

11  
12                   And

13  
14 BD LAWSON PARTNERS, LP and BD VILLAGE  
15 PARTNERS, LP,

16                               Intervenors.  
17  
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19 This matter comes before the Board upon reversal by the Court of Appeals and remand for  
20 dismissal for lack of jurisdiction.  
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22 This case arose in a petition for review challenging the City's approval of ordinances  
23 furthering a Master Planned Development. The developer intervened. On cross-motions to  
24 determine the Board's jurisdiction, the Board ruled it had jurisdiction. The Intervenor  
25 appealed, and the Board issued a Certificate of Appealability as to the jurisdictional  
26 question. The Court of Appeals ruled the Board lacked jurisdiction over the matter and  
27 remanded for dismissal. The Superior Court of King County entered an agreed order August  
28 9, 2012, remanding the case to the Board for rescission of the Order on Motions and  
29 dismissal of the case.  
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31  
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**ORDER**

In accordance with the order of the court:

1. The February 15, 2011 Order on Motions in Growth Board Case No. 10-3-0014 is rescinded.

2. The Petition for Review in Case No. 10-3-0014 is **dismissed** for lack of jurisdiction.

3. Case No. 10-3-0014 is **closed**.

SO ORDERED this 21st day of August, 2012.

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Margaret A. Pageler, Board Member

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Raymond L. Paolella, Board Member